

RM 8626
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Secretary, Federal Communications Commission
Washington, DC 20554

FCC MAIL ROOM

Dear Secretary,

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The Federal Communications Commission has been formally petitioned by council of Fred Maia for a rules change in Part 97. Such changes as expressed in RM8626 address the issues of permitted one-way transmissions and compensation of control operators of club stations. The following is my official response to RM8626.

My name is Kenneth P Elsberry and my amateur extra class call sign is WD4ERM. I have been licensed since 1977. Ninety-five percent of my use of the amateur frequencies is in the High Frequency bands of 1.8MHz to 29.7MHz. I am particularly active on the 3.5MHz to 4.0MHz band using single sideband mode. I have served as an officer in the Georgia Single Sideband Association, a state traffic net, and the Georgia Amateur Radio Emergency Service as: state net manager, district emergency co-ordinator for 28 Georgia counties, emergency co-ordinator for my home county of Lowndes, and as president of the South Georgia Amateur Radio Club (an American Radio Relay League affiliated club). The Georgia Single Sideband Association and the Georgia ARES net has had its operations severely hampered with interference from a station making one-way broadcast transmissions on a regular scheduled basis of more than 100 times weekly. The broadcasts come on the air regardless of current frequency use and on several occasions during emergency conditions have severely disrupted communications. The content of these broadcasts consists of material that is recorded from other news services, editorial opinionated radio talk show excerpts, and political news of foreign government uprisings in such places as Boganville in the South Pacific and Somalia in Africa. Much of this material is hardly of interest to amateur radio operators. A particular broadcaster has increased his air time and has made threats of criminal action against many amateurs for allegedly interfering with his transmissions. There seems to be some myth that makes it ok for broadcast stations to run rough shod over existing users of a frequency simply because the broadcaster wants to maintain a schedule. Such operators of the so called "information bulletin stations" have made a nuisance of themselves and have virtually destroyed popular frequencies. Amateur radio operators do not purchase transmitting equipment

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costing thousands of dollars for the purpose of listening to so called "information bulletins". The broadcasts are aired on the 160, 80, 40 and 20 meter bands. With the sunspot cycle making the higher bands less effective, more and more amateurs are moving to the 160 and 80 meter bands. There simply is not room for a broadcaster to come in and tie up valuable frequency space with repetitive broadcasts over 100 times a week. This type of operation is not conducive to good amateur practice. The particular stations doing the broadcasting in fact do not ever get on the air and converse by radio with the amateurs trying to use the frequencies. News bulletins and entertaining type broadcasts do not belong on the amateur radio bands and this needs to be spelled out in the rules and then strictly enforced by the Commission. There is the question of code practice one-way transmissions. There was a time when this might have been useful. Not any more. There are many code practice tapes available to assist beginners in obtaining their five word per minute novice level. After attaining the novice license the best code practice is simply getting on the air. Other alternatives are home computer programs that run on the simplest of computers, ie. vic 20 for example. Many CW operators use computers on the air and they can be monitored just as easy as WIAW code practice. The fact of taking CW practice sessions off the HF bands would not keep anyone seriously interested in upgrading his license from doing so.

As the rules stand now, broadcasters are abusing their licenses and causing turmoil on the frequencies. Apparently there is nothing that can be done to control them. The longer they are allowed to perform as they are now doing the more they think that they are in the right to come on the air over existing frequency use. Just how far can this be carried? How many broadcasters can the bands stand? Just how long can they occupy a frequency? What is to keep them from going 24 hours a day? This situation was not a problem twenty or thirty years ago when the ham population was considerably less. Now there are some 650,000 licensed hams and more coming in every day. It simply is not feasible to allow broadcasters to waste frequency space and cause the hate and discontent that they are causing on the air.

The Commission has received by this time thousands of letters concerning this matter. There has even been the threat of criminal action being taken against hams, the Commission, the ARRL, and a U S Attorney. There has to be a stop to this kind of selfish, self-serving, egotistical action. A rules change that will be enforced is the answer. For these reasons I express my support of RM8626.

Respectfully Submitted by,
Kenneth P Elsberry - WD4ERM

